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In re Application of	:	
GRONWALL	:	
U.S. Application No.: 10/527,177	:	DECISION ON REQUEST
PCT No.: PCT/SE03/01405	:	
Int. Filing Date: 10 September 2003	:	UNDER 37 CFR 1.42
Priority Date: 10 September 2002	:	
Attorney Docket No.: 09546-023US1/55530 US SB/MW	:	
For: A PLATE HEAT EXCHANGER	:	

This decision is in response to applicant's "Response to Notification of Missing Requirements" filed in the United States Patent and Trademark Office (USPTO) on 23 August 2005. The response is being treated as a request for status under 37 CFR §1.42. No petition fee is due.

BACKGROUND

On 10 September 2003, applicant filed international application PCT/SE03/01405 which claimed priority to an earlier application filed 10 September 2002. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 10 March 2005.

On 07 March 2005, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1) and a preliminary amendment.

On 12 July 2005, applicant was mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371" (Form PCT/DO/EO/905) informing applicant of the need to provide an oath or declaration of the inventor, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. Applicant was afforded two months to file the proper reply and informed that this period could be extended pursuant to 37 CFR 1.136(a).

On 23 August 2005, applicant filed the present response.

DISCUSSION

Pursuant to 37 CFR 1.42, first sentence:

“In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain a patent.”

The declaration filed 23 August 2005 is executed by Kristina Gronwall as the sole heir to estate of deceased inventor, Jan Gronwall. The declaration provides the residence, post office address and country of citizenship for both the deceased inventor and his heir. Ms. Gronwall states that no legal representative of Jan Gronwall's estate has been appointed or is statutorily required to be appointed. Therefore, it is proper to grant applicant's request for status under 37 CFR 1.42 at this time.

CONCLUSION

Applicant's request for status of papers under 37 CFR 1.42 is **GRANTED**.

This application will be given an international application filing date of 10 September 2003 and a date of **23 August 2005** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the DO/EO/US for processing in accordance with this decision.



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